

1100700

PARCEL, MAURO, HULTIN & SPAANSTRA, P.C.

ATTORNEYS AT LAW

SUITE 3600

1801 CALIFORNIA STREET

DENVER, COLORADO 80202

TELEPHONE (303) 292-6400

TELECOPIER (303) 295-3040

ROBERT W. LAWRENCE

ENVIRONMENTAL PROTECTION
AGENCY

SEP 25 1989

MONTANA OFFICE

September 20, 1989

Site East Helena
File # 1.10.07.00 and 2.04
Confidential: Yes No ✓
Admin. Record: Yes ✓ No
Key Words/Comments: Comments from
ARCO Coal concerning Proposed
Plan for Process Ponds

FAX to ICF ✓
copy to DHES ✓
to CH2 ✓

VIA HAND DELIVERY

Sandra R. Moreno, Esq.
Assistant Regional Counsel
United States Environmental Protection Agency
Region VIII
999 18th Street
Denver, CO 80202-2405

Re: East Helena Smelter Site - Request for Extension of
Public Comment Period

Dear Ms. Moreno:

This letter is to confirm our telephone conversation on August 18, 1989 in which I requested an extension of time to comment on the Proposed Plan for the East Helena Smelter Site on behalf of the Atlantic Richfield Company (ARCO). ARCO believes that an extension of the public comment period is warranted for the following reasons:

- 1) ARCO did not receive a copy of the Proposed Plan from EPA until September 12, 1989, the date of the public meeting in East Helena;
- 2) ARCO did not receive a copy of the Remedial Investigation/Feasibility Study (RI/FS) from the Agency until September 15, 1989. As we discussed, the RI/FS is voluminous and complex. If the public comment period expires on September 20, 1989, ARCO will only have three working days to review the RI/FS. While ARCO appreciates your efforts in providing us with the RI/FS last Friday, three working days is simply not enough time for ARCO to provide meaningful comments to EPA on the RI/FS; and
- 3) The RI/FS was not available in the EPA Region 8 library or other public repositories within the Denver metro area. We are not aware that the Agency published public notice of

PARCEL, MAURO, HULTIN & SPAANSTRA, P.C.

Sandra R. Moreno, Esq.
September 20, 1989
Page 2

the availability of the RI/FS or of the public meeting in East Helena in the Denver metro area. EPA did not provide ARCO with individual notice of the availability of the RI/FS and the Proposed Plan for public comment, despite the Agency's March 12, 1987 and February 16, 1989 letters to ARCO and the Agency's awareness of ARCO's interest in this matter.

ARCO therefore respectfully requests that the Agency extend the public comment period until at least October 6, 1989.

We appreciate your consideration of this request. Please include this letter in the administrative record for the site.

Sincerely,



Robert W. Lawrence

RWL:jgb

cc: Jeffrey H. Desautels, Esq.